

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on January 13, 2022, regarding Specific Design Plan SDP-1603-01 for National Capital Business Park, the Planning Board finds:

1. **Request:** The subject application is for approval of an infrastructure specific design plan (SDP) for the National Capital Business Park, including the proposed street network, sidewalks, utilities, grading, stormwater management (SWM), retaining walls, and directional signage that will serve the employment and institutional uses proposed for the portion of the property in the Residential Suburban Development (R-S) Zone. This approval will completely supersede the originally approved SDP-1603 (formerly for Phase 1 of the residential project known as Willowbrook).
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	R-S/I-1/R-A	R-S*/I-1/R-A
Use	Vacant	Warehouse/Distribution; Office; Light-Industrial-Manufacturing; and/or Institutional Uses (in R-S and I-1 Zones only)
<b>Total Gross Acreage</b>	<b>442.30</b>	<b>442.30</b>
R-S Zone	426.52	426.52
I-1 Zone	15.00	15.00
R-A Zone	0.78	0.78
<b>Floodplain</b>	<b>94.77</b>	<b>94.77</b>
<b>Total Net Acreage</b>	<b>347.53</b>	<b>347.53</b>

**Note:** \*Prince George’s County Council Bill CB-22-2020 was adopted by the Prince George’s County District Council on July 14, 2020, for the purposes of allowing uses in the Employment and Institutional Area (E-I-A) Zone on land in the R-S Zone, pursuant to eligibility criteria in Section 27-515(b) of the Prince George’s County Zoning Ordinance. Zoning Map Amendment A-9968-02 removed all previously approved residential elements from this site and permits up to 3.5 million square feet of warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses on the subject site. It is anticipated that a majority will be warehouse uses in the National Capital Business Park.

3. **Location:** The subject property is a large tract of land that consists of wooded and undeveloped land, located on the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and the southbound US 301 (Robert Crain Highway). The site is also in Planning Area 74A and Council District 4.
4. **Surrounding Uses:** The site is bounded to the north by undeveloped properties in the Reserved Open Space and Open Space (O-S) Zones; to the west by a CSX railroad right-of-way and undeveloped properties in the Residential Low Development, Residential-Agricultural (R-A), and O-S Zones, including the Collington Branch Stream Valley; to the south by Leeland Road and beyond by Beech Tree, a residential subdivision in the R-S Zone and undeveloped property in the R-A Zone; and to the east by the existing Collington Center, an employment center, in the E-I-A and Light Industrial (I-1) Zones.
5. **Previous Approvals:** The site was rezoned from the R-A Zone to the E-I-A Zone during the 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A, and 74B*. The rezoning was contained in Zoning Map Amendment (Basic Plan) A-9829. In 2005, A-9968 was filed to request a rezoning of the property from the E-I-A Zone to the R-S Zone. At that time, the approval of a new Bowie and Vicinity Master Plan and Sectional Map Amendment was underway. A-9968 was recommended for approval by the Prince George's County Planning Board (PGCPB Resolution No. 05-178) and was transmitted to the District Council for incorporation into the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* (Bowie and Vicinity Master Plan and SMA).

The Bowie and Vicinity SMA was approved by Prince George's County Council Resolution CR-90-2005, which was reconsidered by CR-11-2006. The District Council then adopted CR-11-2006 on February 7, 2006, which rezoned the subject property from the E-I-A and R-A Zones to the R-S Zone (CR-11-2006, Amendment 7, pages 18 and 31-34), subject to 13 conditions and 3 considerations.

On January 4, 2007, Comprehensive Design Plan CDP-0505, including Type I Tree Conservation Plan TCPI-010-06, was approved by the Planning Board (PGCPB Resolution No. 06-273) for a total of 818 residential dwelling units, of which 602 were market rate (97 townhouses and 505 single-family detached units) and 216 units were in a mixed-retirement component (50 single-family detached, 56 townhomes, and 110 multifamily units), on approximately 427 acres of land with 34 conditions. The Planning Board's decision with conditions was affirmed by the District Council on April 9, 2007.

On March 15, 2007, Preliminary Plan of Subdivision (PPS) 4-06066 and TCPI-010-06-01 were approved by the Planning Board (PGCPB Resolution No. 07-43) subject to 31 conditions. Subsequently, a number of extensions, waivers, and reconsiderations were approved by the Planning Board. The last of which the Planning Board approved on March 8, 2018 (PGCPB Resolution No. 07-43(A)), a reconsideration of the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road, and convert the roundabout to a four-way,

signal-controlled intersection. The PPS conditions are not applicable to the review of the current application, but the modification of the intersection is noted for informational purposes.

On March 30, 2017, SDP-1603 and associated TCPII-028-2016, (PGCPB Resolution No. 17-144), for Phase One of the residential development, which proposed 183 single-family detached and 93 single-family attached market-rate lots, 43 single-family detached and 52 single-family attached mixed-retirement residential lots, and single-family attached architecture, was approved subject to 15 conditions. No construction has been started on the property.

On May 13, 2019, the District Council (Zoning Ordinance No. 5-2019) approved A-9968-01 to add 313 dwelling units, with 23 conditions and five considerations. The originally approved dwelling unit range of 627-826 total dwelling units was increased to 624-1,139 dwelling units.

On April 12, 2021, the District Council approved A-9968-02, which is a revision to A-9968 and A-9968-01, to replace the previously approved residential land use patterns on the subject site, with employment and institutional uses permitted in the E-I-A Zone, as authorized, pursuant to Section 27-515(b), in the R-S Zone, with 17 conditions and 2 considerations. A-9968-02 supersedes the approvals of both A-9968 and A-9968-01 and governs the future development of the subject site for employment and institutional uses, as generally permitted in the E-I-A Zone, without any residential component.

On April 29, 2021, CDP-0505-01 and TCP1-004-2021 were approved by the Planning Board (PGCPB Resolution No. 2021-50), which established the design guidelines for the National Capital Business Park project, subject to five conditions. The District Council elected not to review CDP-0505-01 on June 4, 2021.

On September 30, 2021, the Planning Board approved PPS 4-20032, for the National Capital Business Park, including TCP1-004-2021-01, subject to 32 conditions.

This site also has an approved SWM Concept Plan, 42013-2020-00, which is valid through June 28, 2024.

6. **Design Features:** The infrastructure SDP for the National Capital Business Park includes the proposed street network, sidewalks, utilities, grading, SWM, retaining walls and directional signage that will serve the employment and institutional uses proposed for the 426-acre R-S-zoned portion of the property. The proposed development of up to 3.5 million square feet of employment uses, such as warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses will be mainly on the R-S-zoned section in the middle of the larger property. Only a small portion of the above uses, of which many are permitted by-right, will be on the I-I-zoned property in the southeast part of the site.

As previously approved by CDP-0505-01 and PPS 4-20032, vehicular access to the subject site will be provided via an extension of the existing Queens Court within the adjacent Collington Center. To the east of the subject property, Queens Court intersects with Prince George's

Boulevard, which is a spine road running through Collington Center, and beyond to Robert Crain Highway. The proposal includes a median break and signalization of the Robert Crain Highway and Queens Court intersection, in coordination with the Maryland State Highway Administration (SHA).

Queens Court, as extended, intersects an internal spine road, which is in a north-south orientation with cul-de-sacs on both ends. The proposed development will be located on both sides of the spine road and Queens Court extension. The proposed building blocks of this development includes interconnecting streets and a conceptual building and parking envelopes. This includes utilization of the adjacent stream valley to define the western edge of the proposed development area and additional proposed open space on the I-1-zoned property, along with numerous on-site SWM facilities throughout the site. The project has been designed to be compact and minimize impacts to sensitive environmental features and preserve priority woodlands along the stream valley corridor and other sensitive environmental areas. A potential 20-acre public park adjacent to the Collington Branch Stream Valley is shown north of Leeland Road at the far western corner of the property.

The infrastructure SDP also shows rough grading of each building envelope and general dimensions of the blocks. SWM facilities, along with major environmental features, stream valley trails, as well as general landscaping, are included in this infrastructure plan.

One primary identification and two directional signs are also shown on the infrastructure plans. The one primary identification sign is a monument style and carries text of “National Capital Business Park” and measures eight feet and eleven inches tall but does not give the complete dimensions of the sign feature. Two directional signs are similar to the monument sign style and of identical design to the primary identification sign that measures nine feet and one inch long and eight and half feet in height. The three proposed signs are appropriate in size and are acceptable. However, the applicant should provide detailed sign face area calculations and notes on the plans. A condition has been included hereinto require the applicant to provide the sign face area calculation on the site plan prior to certification of this infrastructure SDP.

## COMPLIANCE WITH EVALUATION CRITERIA

- 7. Zoning Map Amendment (Basic Plan) A-9968-02:** A-9968-02 was approved to remove all residential uses depicted in both A-9968 and A-9968-01, and to show up to 3.5 million square feet of employment and institutional uses. A-9968-02 was approved by the District Council on April 12, 2021, with 17 conditions and 2 considerations, that supersedes both A-9968 and A-9968-01, which depicted residential development only. Conditions and considerations attached to the approval of A-9968-02 that are relevant to the review of this infrastructure SDP are as follows:

**1. Proposed Land Use Types and Quantities**

**Total Area: 442.30 acres**

**Total in (I-1 Zone): 15± acres (not included in density calculation)**

**Total area (R-A Zone): 0.78± acre (not included in density calculation)**

**Total area (R-S Zone): 426.52 acres per approved natural resource inventory**

**Land in the 100-year floodplain: 92.49 acres**

**Adjusted gross area (426 less half of the floodplain): 380.27 acres**

**Proposed use: Warehouse/distribution, office, light industrial/ manufacturing, and/or institutional uses up to 3.5 million square feet\***

**Open Space**

**Public active open space: 20± acres**

**Passive open space: 215± acres**

**\*100,000 sq. ft. of gross floor area may be located in the I-1 Zone property noted above**

This infrastructure SDP proposes improvements essential to develop up to 3.5 million square feet of employment uses including warehouse/distribution, office, light industrial/ manufacturing, and/or institutional uses. The Planning Board finds the improvements appropriate for the land uses proposed by A-9968-02.

- 6. The applicant, the applicant's heirs, successors, and/or assigns shall construct a minimum 10-foot-wide master plan hiker/biker trail located along the Collington Branch Stream Valley and a minimum 10-foot-wide feeder trail to the employment uses. The alignment and design details of both trails may be modified by the Prince George's County Department of Parks and Recreation, to respond to environmental constraints, with written correspondence.**

The two trails are shown on the infrastructure SDP drawings that are consistent with this condition. The Prince George's County Department of Parks and Recreation (DPR) will coordinate the construction of the master plan hiker/biker trails with the applicant.

- 8. The applicant shall construct recreational facilities typical for a 20-acre community park, such as ball fields, a playground, tennis or basketball courts, shelters, and restroom facilities. The list of recreational facilities shall be determined at the preliminary plan of subdivision and specific design plan stage.**

The applicant is coordinating with the DPR to determine appropriate programming and design for the future community park. An exhibit has been submitted with this infrastructure SDP that has been referred to DPR for review. DPR is in general agreement with the proposed community park facilities.

- 15. The applicant, the applicant's heirs, successors, and/or assignees shall construct a minimum 10-foot-wide master plan shared-use path along the subject site frontage of Leeland Road, consistent with AASHTO standards, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**

The shared-use path is shown on the infrastructure SDP drawings, in accordance with this condition. For the construction, the applicant will work with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) through its separate permitting process.

#### **Comprehensive Design Plan Considerations:**

- 1. The natural aesthetic qualities of the site and all regulated environmental features shall be preserved to the fullest extent possible and shall seek to minimize any impacts to said features.**

The infrastructure improvements proposed with SDP-1603-01 have been designed to support a proposed development determined (in part) by the environmental constraints of the site, including the regulated environmental features and soils. The Planning Board finds that the site improvements proposed in the infrastructure SDP will preserve all regulated environmental features on the subject property and/or restore them to the fullest extent possible, as discussed in Paragraph 12 below.

- 2. All proposed internal streets and developments should follow complete streets principles and support multimodal transportation as well as facilities to encourage walking, bicycling, and transit use, such as short- and long-term bicycle parking, including shower facilities and changing facilities, covered transit stops, crosswalks, etc.**

The infrastructure SDP proposes site improvements that support, or otherwise do not hinder, the future development of the conditioned improvements. Additional detail, such as facilities to support multimodal transportation, will be evaluated with the subsequent full-scale SDP(s) for site development.

**8. Prince George's County Zoning Ordinance:** The Planning Board finds the subject infrastructure SDP is in compliance with the applicable requirements of the Zoning Ordinance, as follows:

- a. Through the adoption of CB-22-2020, the District Council expanded the uses permitted in the R-S Zone to allow nonresidential uses that are generally permitted in the E-I-A Zone, under certain conditions, on the subject property. This infrastructure SDP is for general site preparation for future development of proposed uses permitted by CB-22-2020 and otherwise complies with the findings in both A-9968-02 and CDP-0505-01 regarding the uses on the property.
- b. Section 27-480, General development regulations, of the Zoning Ordinance, and those regulations in the R-S Zone, as stated in Sections 27-511 to 514 of the Zoning Ordinance, are mainly for residential uses. Since this infrastructure SDP for infrastructure is for non-residential uses generally permitted in the E-I A Zone, those regulations are not applicable to this SDP.
- c. Section 27-528 of the Zoning Ordinance contains the following required findings for the Planning Board to grant approval of an SDP:

**(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:**

**(1) The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual;**

The site improvements proposed in the infrastructure SDP will support the development described in approved CDP-0505-01, and each of the conditions of approval. The improvements also comply with those requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), and the design guidelines applicable to the infrastructure SDP, as discussed in findings herein. Therefore, the Planning Board finds the infrastructure SDP conforms with the approved CDP and applicable standards of the Landscape Manual.

**(1.1) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

The subject property is not designated as a Regional Urban Community. Therefore, this finding is not relevant to this infrastructure SDP.

**(2) The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided**

**as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

The subject property is governed by an approved and valid PPS 4-20032, which was approved by the Planning Board on September 30, 2021, which determined that this development will be adequately served within a reasonable period of time with existing or programmed public facilities. The Planning Board finds the site improvements described in the infrastructure SDP support, or otherwise do not hinder, the existing public facilities or any facilities proposed for construction by PPS 4-20032.

- (3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

As discussed above, the application included an approved and valid SWM concept plan, and the site improvements proposed in the infrastructure SDP support, or otherwise do not hinder, the plan. Therefore, the Planning Board finds that, to the extent of the improvements proposed in the infrastructure SDP, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

- (4) The plan is in conformance with an approved Type 2 Tree Conservation Plan; and**

Type 2 Tree Conservation Plan TCP2-026-2021-01 was submitted on October 14, 2021. The Planning Board finds that the subject infrastructure SDP conforms to TCP2-026-2021-01, subject to conditions that have been included herein.

- (5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The site improvements described in the infrastructure SDP do not expand the approved land uses quantities included in A-9968-02 that preserve more than half of the entire site in a natural state. This condition was further evaluated at time of the approval of PPS 4-20032 and conformance was demonstrated. The Planning Board concludes, after the review of the infrastructure SDP and the proposed TCP2-026-2021-01, that the regulated environmental features on the subject property will be preserved and/or restored to the fullest extent possible.



- (b) **Prior to approving a Specific Design Plan for Infrastructure, the Planning Board shall find that the plan conforms to the approved Comprehensive Design Plan, prevents off-site property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.**

The infrastructure SDP has been reviewed for conformance with the governing CDP-0505-01, approved SWM concept plan, and TCP2. Subject to the findings and conditions contained herein, the Planning Board finds that this infrastructure SDP conforms to the approved CDP, prevents off-site property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

9. **Comprehensive Design Plan CDP-0505-01:** CDP-0505-01 was approved by the Planning Board on April 29, 2021 (PGCPB Resolution No. 2021-50) for the proposed 3.5 million square feet of various employment and institutional uses. CDP-0505-01 was approved with five conditions, of which one condition is relevant to the review of this infrastructure SDP as follows:

3. **Prior to certification of a Type 2 tree conservation plan for the subject development, which states specifically the location, acreage, and methodology of the woodland conservation credits, crediting of woodland conservation shown on any property to be dedicated to, or owned by the Maryland-National Capital Park and Planning Commission, is subject to written approval by the Prince George's County Department of Parks and Recreation.**

In a letter dated April 12, 2021 (Burke to Nickle), submitted with the CDP certification, DPR consented to the placement of woodland conservation on land to be dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC), which will be placed in easements subject to the following considerations:

- (1) The applicant will be dedicating substantially more parkland than the normal requirement under Mandatory Dedication of Parkland.
- (2) The woodland conservation easement(s) proposed are primarily located in areas which are not suitable for active recreation.
- (3) The proposed woodland conservation easement(s) are in some cases adjacent to other protected lands or woodland conservation easements proposed by the applicant, in effect creating a larger net "forested area."
- (4) The proposed woodland conservation easement(s) will not be located within the right-of-way for the proposed hiker/biker trail when constructed.

The portions of the woodland conservation easement areas proposed to be conveyed to M-NCPPC are subject to the following condition:

- (1) The details of the land to be dedicated to M-NCPPC, the areas of woodland conservation easement contained within that land, and the proposed hiker/biker trail will be evaluated with the review of the Type 2 tree conservation plan (TCP2).

This infrastructure SDP application shows a total of 113.28 acres to be dedicated to M-NCPPC, inclusive of the 20-acre park and stream valley trail, which will be developed concurrently. DPR is in general agreement with the proposed land dedication.

10. **Preliminary Plan of Subdivision 4-20032:** PPS 4-20032 was approved by the Planning Board on September 30, 2021 (PGCPB Resolution No. 2021-112). The following conditions of approval are relevant to this SDP:

2. **Total development within the subject property shall be limited to uses which generate no more than 1,400 AM peak-hour trips and 1,400 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

The site improvements proposed by the infrastructure SDP do not support the construction of any structures or additional development that would exceed the above the total square footage, as previously approved with both CDP-0505-01 and PPS 4-20032.

3. **Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision, prior to the approval of any building permits.**

No residential development is proposed in this infrastructure SDP.

4. **Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (42013-2020-00) and any subsequent revisions.**

An approved SWM concept plan (42013-2020-00, approved on June 28, 2021) was submitted that shows the use of seven submerged gravel wetlands, four underground storage treatment facilities and sand filters. The site improvements proposed in the infrastructure SDP will be subject to a site development fine grading permit and continuing reviews by both DPIE and the Soil Conservation District. Therefore, the infrastructure SDP conforms to the approved SWM concept plan.

7. **Prior to issuance of a use and occupancy permit for nonresidential development, the applicant and the applicant's heirs, successors, and/or assignees shall:**

- a. **Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for each building.**
- b. **Install and maintain automated external defibrillators (AEDs) at each building, in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**
- c. **Install and maintain bleeding control kits next to fire extinguisher installation at each building, and no more than 75 feet from any employee.**

**These requirements shall be noted on the specific design plan.**

The above requirements are provided with the infrastructure SDP drawings in General Note 25.

8. **The applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities and show these facilities on any submitted specific design plan, prior to its acceptance:**
  - a. **Minimum 5-foot-wide sidewalks along both sides of all internal roadways.**
  - b. **Perpendicular or parallel Americans with Disabilities Act accessible curb ramps at all intersections throughout the site.**
  - c. **Crosswalks crossing all legs of intersections, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**
  - d. **For any specific design plan containing a building, a separate and clearly marked pedestrian route from the public roadway to the entrance of each building.**
  - e. **Bus-shelter ready areas at each intersection and proximate to the ends of each cul-de-sac on Road A.**
  - f. **Shared-lane markings (sharrows), bikeway guide signs, D11-1/Bike Route and D1-1, D1-2, and D1-3/destination plates and R4=11/Bicycles May Use Full Lane signs be provided within all internal roadways that direct people bicycling to the proposed developments and the Collington Branch Trail, as well as highlight to motorists the potential presence of people bicycling along internal roads, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**

- g. For any specific design plan containing a building, short-term bicycle parking near the entrances of all buildings shall be required, and long-term bicycle parking and associated facilities at an appropriate location of larger buildings shall be considered.**
- h. A curb ramp connecting Road A and the shared-use path connecting to Leeland Road.**
- i. A minimum 10-foot-wide shared-use path along Leeland Road.**
- j. A minimum 10-foot-wide shared-use path connecting Leeland Road and Road A.**

The subject infrastructure SDP shows most of the above required improvements for bicycle and pedestrians in accordance with the scope of this plan, including sidewalks, Americans with Disabilities Act compliant access curb ramps, etc. Certain requirements cannot be met at the time of an infrastructure SDP, for example, since there is no building included in this SDP, improvements required by above Condition 8.d. will be provided with future SDPs. The Planning Board finds that this condition has been met, subject to several conditions that have been included herein.

- 11. At the time of final plat, the applicant shall dedicate all rights-of-way, consistent with the approved preliminary plan of subdivision. The right-of-way extension for Popes Creek Drive shall only be dedicated if the final site plan design includes access to this roadway and, if the access is not included in the final design, all developable parcels shall be platted to have frontage on and direct access to an alternative public right-of-way.**

The infrastructure SDP does not reflect right-of-way extension for Popes Creek Drive, nor does it include access to this roadway in the design. All adjacent developable parcels have been reconfigured to have frontage on and direct access to Queens Court.

- 15. The applicant shall be subject to the following requirements for development of the 10-foot-wide on-site feeder trail:**
  - a. The applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, the on-site feeder trail from the southern terminus of Public Road A to the shared-use path on Leeland Road.**
  - b. The on-site feeder trail shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review**

**of the specific design plan (SDP). Triggers for construction shall also be determined at the time of SDP.**

The Planning Board finds the feeder trail associated with the 20-acre park and Collington Branch Stream Valley Trail system to be adequate. A trigger for construction has been included as a condition of approval herein.

- c. Prior to submission of the final plat of subdivision for any parcel, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of the on-site feeder trail, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.**
- d. Prior to approval of building permits for a new building, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the on-site feeder trail.**
- e. Prior to approval of the specific design plan for infrastructure, the applicant and the applicant's heirs, successors, and/or assignees shall submit to Prince George's County Department of Parks and Recreation, for review and approval, detailed construction drawings for the on-site feeder trail.**

A detailed construction cross section for the on-site feeder trail was provided with the infrastructure SDP. The rest of the trail related conditions will be enforced at the time of final plat and issuance of the building permit. The rest of the conditions will be enforced at the required time in the development process.

- 16. Recreational facilities to be constructed by the applicant shall be subject to the following:**
- a. Prior to approval, the first specific design plan for the subject property (including for infrastructure) shall include the location and concept design details (as shown in the May 7, 2021 Concept Plan) for the 20-acre park and Collington Branch Stream Valley Trail.**  
  
The location and the concept design details for the 20-acre park and the stream valley trail were provided with this application.
  - b. The timing for the development of the 20-acre park and Collington Branch Stream Valley Trail shall be determined with the first specific design plan for development (not including infrastructure).**

Since this is an infrastructure SDP, the timing trigger for completion of the 20-acre park and Collington Branch Stream Valley Trail is not required. The other necessary timing triggers were established with the PPS.

- c. **The location of the Collington Branch Stream Valley Trail shall be staked in the field and approved by the Prince George's County Department of Parks and Recreation, prior to construction.**
- d. **All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Prince George's County Department of Parks and Recreation.**
- e. **The handicapped accessibility of all trails shall be reviewed during the review of the specific design plan.**
- f. **The public recreational facilities shall be constructed, in accordance with the standards outlined in the Prince George's County Park and Recreation Facilities Guidelines.**

DPR has reviewed this application and will work with the applicant to construct all trails.

17. **The first specific design plan (including for infrastructure) shall show the conceptual location of the Collington Branch Stream Valley Trail and delineate a 16-foot-wide clear space centered along its alignment. The woodland conservation areas shall be shown to exclude this 16-foot-wide clear space.**

The Collington Branch Stream Valley Trail and the associated 16-foot-wide clear space are provided on the plans; however, the font identifying the clear space on the plans is very small. A condition requiring the applicant to match the font size used to identify the trail for the clear space is included herein.

21. **Development of this subdivision shall be in conformance with approved Type 1 Tree Conservation Plan (TCP1-004-2021-01). The following note shall be placed on the final plat of subdivision:**

**“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-004-2021-01 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the**

**notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”**

The Planning Board finds that the revised TCP2-026-2021-01 is consistent with the TCP1 approved with PPS 4-20032.

- 26. Prior to acceptance of the first specific design plan (including for infrastructure), if conditions warrant, a detailed slope stability analysis shall be provided, and both the unmitigated and mitigated 1.5 safety factor lines shall be added to the Type 2 tree conservation plans.**

The latest geotechnical/slope stability report shall be submitted with this infrastructure SDP application. Delineation of the limits of the Marlboro clay lines and the 1.5 safety factor lines shall be added to the plan and to the legend, as conditioned herein.

- 11. 2010 Prince George's County Landscape Manual:** Per Section 27-528(a)(1) of the Zoning Ordinance, an SDP must conform to the applicable standards of the Landscape Manual. However, when reviewing an infrastructure SDP, due to its limited scope, only certain regulations are applicable. For this infrastructure SDP, only Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.6-2, Buffering Development from Special Roadways (Leeland Road), and Section 4.9, Sustainable Landscape Requirements, apply to this site. The landscape plans included with the SDP are in conformance with the applicable requirements. However, the applicant does not include the required landscape schedules for each respective section to demonstrate conformance on the landscape plans. A condition has been included herein to require the applicant to provide landscape schedules prior to certification of this infrastructure SDP.
- 12. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site is more than 40,000 square feet or greater in area, contains a total of 10,000 square feet or more of woodlands and has a previously approved TCP1-004-2021-01. TCP2-026-2021-01 has been submitted with the subject application and requires revisions to be found in conformance with the WCO.
- a. **Existing Conditions:** Natural Resources Inventory NRI-098-05-03 was submitted with the subject application. The most current approval, NRI-098-05-04, is required to be submitted into the record of the current case, SDP-1603-01. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the primary management area (PMA). Marlboro clay outcropping is on the site. Rare, threatened, and endangered species are on and in the vicinity of the property. The TCP2 and SDP show all required information in conformance with the current NRI.

- b. **Woodland Conservation:** The woodland conservation threshold for the larger 442.32-acre property is based on a 15 percent threshold for the E-I-A (R-S) and I-1 zoned portions of the site; and a 50 percent threshold for the R-A Zone, resulting in a weighted woodland conservation threshold of 15.08 percent, or 52.40 acres.

There is an approved TCP1 and TCP2 on the overall development related to the prior residential subdivision which were grandfathered under the 1993 Woodland Conservation Ordinance. The prior tree conservation plan approvals are not applicable to the new development proposal.

The National Capital Business Park project is subject to the WCO and the Environmental Technical Manual. The applicant has submitted TCP2-026-2021, for a rough grading permit which is under review. A revision to TCP2-026-2021-01 was submitted with SDP-1603-01.

The woodland conservation worksheet shall be revised to phase the overall project, and to reflect the TCP2 submitted for rough grading as the original phase. TCP2-026-2021 shall be approved prior to the certification of the revised TCP2 submitted with SDP-1603-01. Proposed clearing with the park dedication area shall be reflected in a future phase. Details of the recreation facilities, impacts to the PMA and the variance request for the specimen tree removal will be reviewed with a subsequent SDP.

The overall woodland conservation worksheet shows the clearing of 267.39 acres of woodland on the net tract area and 1.09 acres in the floodplain which, based on calculations, results in a woodland conservation requirement of 120.34 acres. The requirement is proposed to be met with 71.04 acres of on-site woodland preservation, 21.51 acres of on-site reforestation, and 27.79 acres of off-site woodland conservation credits. The TCP2 meets the requirements of the WCO, subject to conditions that have been included herein.

- c. **Specimen Trees:** Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25, of the WCO provided all the required findings in Section 25-119(d) can be met. A variance must be accompanied by a letter of justification (LOJ) stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 variance statement of justification (SOJ) and specimen tree



exhibit, in support of a variance dated December 7, 2021, were submitted on December 8, 2021.

A timber harvest permit was previously approved for the site utilizing the approved limits of disturbance (LOD) on the TCPII approved for the previous residential development, Willowbrook. Within the limits of the timber harvest area were 50 specimen trees. No variance was required for the removal of these specimen trees because the TCPII was approved under the 1993 Woodland Conservation Ordinance and was grandfathered from the variance requirements that were established in the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO).

The current development is subject to the 2010 WCO, which requires a variance for the removal of specimen trees. A variance request was reviewed with PPS 4-20032, and the Planning Board approved the removal of 69 specimen trees. The trees were located generally in the area proposed for development. The current SDP for infrastructure shows Specimen Trees 132 and 152, which are located in a preservation area, to be removed. It is recommended that where the development proposal and LOD has changed, specimen trees shall be retained. The TCP2 shall be revised to reflect that specimen trees 132 and 152 are to remain.

A variance request from Section 25-122(b)(1)(G) was submitted with SDP-1603-01 requesting the removal of five specimen trees (Specimen Trees 147, 148, 150, 320, and 321). The five additional specimen trees are tulip poplars, ranging in condition rating with two in good condition, one in fair condition, and two in poor condition. Tulip poplar trees have weak wood and overall poor construction tolerance. The specimen trees requested for removal are located within the most developable part of the site and are not located in the regulated environmental PMA areas. Specimen trees 320 and 321 are located within a proposed building footprint layout shown with the PPS.

Specimen trees 147, 148, and 150 are located at the eastern perimeter of the development, where their critical root zone will be impacted. The TCP2 shows specimen trees 147 and 150 are located off-site. Trees located outside of the boundary of the subject property cannot be granted a variance for removal with this application. The variance request for the removal of Specimen Trees 147 and 150 cannot be granted because these two trees are located off-site.

The SOJ and specimen tree exhibit submitted with the variance request shall be revised and submitted prior to SDP certification. The statement incorrectly states "134 specimen trees were removed as part of a previous variance approved by Preliminary Plan of Subdivision 4-20032 and Type 1 Tree Conservation Plan TCP1-004-2021-01." The timber harvest removed 50 specimen trees, and a variance request for the removal of an additional 69 trees was granted by the Planning Board with PPS 4-20032. The total trees previously approved for removal are 119, not 134. The statement requests a variance for the removal of five specimen trees with SDP-1603-01, specifically specimen trees 147, 148, 150, 320, and 321. As stated above, specimen trees 147 and 150 are located off-site,

and are not required to be included in the variance request; however, they are poplars with low construction tolerance and are supported for removal on the TCP2 outside of the variance process. The specimen tree exhibit shall be revised to reflect the specific trees approved for removal, and what process approved the removal: timber harvest permit, variance request with PPS 4-20032, or variance request with SDP-1603-01.

The Planning Board supports the variance for the removal of the three on-site specimen trees (Specimen trees 148, 320, and 321) requested by the applicant based on the findings below. The Planning Board denies the variance request for the two off-site specimen trees (Specimen trees 147 and 150) as they are outside of the variance process.

**(A) Special conditions peculiar to the property have caused the unwarranted hardship.**

When compared to other properties in the area, the existing conditions on site are peculiar to the property. The property is 442.30 acres and contains approximately 186.15 acres of PMA. The PMA comprises streams, wetlands, and 100-year floodplains and associated areas of steep slopes with highly erodible soils. This represents approximately 42 percent of the overall site area. The trees are tulip poplars, which have a low tolerance for construction disturbance. Specimen trees have been identified in both the upland and lowland PMA areas of the site. With this variance request, the applicant is proposing to remove only specimen trees located outside of the PMA. The proposed industrial use, which is both significant and reasonable, would be denied without the requested variance. Because of the peculiar features on the site, the applicant cannot accomplish the proposed use elsewhere on the property without the requested variance. To further restrict development of the wooded upland areas of the site would cause unwarranted hardship.

**(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.**

The proposed warehouse/distribution, office, light industrial/manufacturing and/or institutional uses, and a potential public park align with the uses permitted in the E-I-A (R-S), I-1, and R-A Zones, as well as the vision for such zones as described in the Bowie and Vicinity Master Plan. Based on the unique characteristics of the property, enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their critical root zone would deprive the applicant of rights commonly enjoyed by other property owners in similar zones. Based on the location of the trees, retaining the trees, and avoiding disturbance to the critical root zones would have a considerable impact on the development potential of the property. Other projects in the area were allowed to remove similar trees under similar circumstances.

**(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.**

If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

**(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.**

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.**

The request to remove the trees does not arise from any condition on a neighboring property. The trees have grown to specimen tree size based on natural conditions and has not been impacted by any neighboring land or building uses.

**(F) Granting of the variance will not adversely affect water quality**

The site is governed by the State and County SWM regulations that went into effect on May 5, 2010. All proposed land development activities will require erosion and sediment control and SWM measures to be reviewed and approved by the County. The removal of the three specimen trees will not adversely affect water quality or cause degradation in the water quality. In fact, the need for impact is associated with the SWM designed for the development for the purpose of water quantity and water quality.

**13. Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that proposes more than 5,000 square feet of gross floor area or disturbance and requires a grading permit. Properties in the R-S Zone to be developed per Section 27-515(b), Footnote 38, are required to provide a minimum of 10 percent of the gross tract area in tree canopy coverage (TCC). This infrastructure SDP shows more than 10 percent tree coverage of the property in woodland preservation. However, no TCC schedule was provided on the plan and a condition is included herein requiring this to be added.

**14. Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

- a. **Historic Preservation**—The Planning Board adopts a memorandum dated October 19, 2021 (Stabler to Zhang), incorporated herein by reference, which provided an evaluation of the property’s history, previous conditions of approval, as well as the Phase I archeological investigations, and additional archeological investigations, which revealed the Clarke Tobacco Barn on the property, which was fully documented in color photographs and scaled line drawings. No further archeological work is recommended. The Planning Board finds the SDP acceptable from the standpoint of historic preservation.
- b. **Subdivision**—The Planning Board adopts a memorandum dated December 6, 2021 (Gupta to Zhang), incorporated herein by reference, which noted that the development proposed by this infrastructure SDP is within the limitations established with PPS 4-20032. A review of relative conditions of approval is provided noting no major conformance issues. Conditions have been included herein requiring technical plan revisions.
- c. **Transportation Planning**—The Planning Board adopts a memorandum dated December 16, 2021 (Burton to Zhang), incorporated herein by reference, which indicated the subject application is for infrastructure only, which has no traffic-generating characteristic, and consequently will not be affected by the conditions attached to the prior approvals governing this property. Accesses, roadway alignments, and on-site circulation are deemed to be acceptable.

The Planning Board concludes that the infrastructure SDP application is acceptable from the standpoint of transportation and meets the findings required for approval of an SDP for infrastructure.

- d. **Pedestrian and Bicycle Facilities**—The Planning Board adopts a memorandum dated December 20, 2021 (Jackson to Zhang), incorporated herein by reference, which provided a review of the infrastructure SDP against the conditions of approval related to pedestrian and bicycle facilities in prior development approvals and found conformance subject to the conditions included herein.
- e. **Environmental Planning**—The Planning Board adopts a memorandum dated December 17, 2021 (Nickle to Zhang), incorporated herein by reference, which provided an analysis of previous conditions of approval attached to A-9968-02, CDP-0505-01, and PPS 4-20032, specimen tree variance, and a discussion of woodland conservation requirements, as well as the following summarized comments:

**Regulated Environmental Features**

There is PMA, comprised of regulated environmental features, which include streams and associated buffers, 100-year floodplain, steep slopes, and wetlands with their associated buffers. Under Section 27-521(a)(11) of the Zoning Ordinance, the plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible. The development proposes impacts to the

PMA; a LOJ with exhibits was submitted by the applicant on December 2, 2021, for review with SDP-1603-01.

Section 24-130(b)(5) of the Prince George's County Subdivision Regulations states: "Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones, the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat."

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

Comments were provided in a Subdivision and Development Review Committee meeting on October 29, 2021, stating for the record that the PMA impacts shown on the TCP2 were not in conformance with the PMA impacts approved with PPS 4-20032. A LOJ was received on December 3, 2021, for the revised impacts and the newly proposed impacts shown on the TCP2 and amended SDP. This application does not propose revision to Impacts 1, 7, 8, 9, and 10, which will remain as approved with PPS 4-20032. These proposed impacts were for roadway crossing and stormdrain outfalls.

The current LOJ and associated exhibit reflect eight proposed impacts to regulated environmental features associated with the proposed development totaling approximately 1.66 acres, and are described as Impacts A–F, with Impact E divided into three parts.

Impact A and part of Impact E (Areas 1 and 2) are for proposed SWM outfalls. Impacts B, D, and the remaining part of Impact E (Area 3) are for proposed sewer line connections. Impacts C and F are for proposed road crossings. Prior to certification of the

infrastructure SDP, the submitted PMA impact exhibits shall be revised to reflect the existing contours, proposed grading, and existing utility lines.

The following findings provide an evaluation of the proposed impacts outlined in the applicant's justification:

**Impact A (Previously Impact 3):** This impact for a proposed SWM outfall is a revision to Impact 3 approved with PPS 4-20032, which totaled 0.03 acre. Revised Impact A increases the impact to 0.09 acre. The increase of this impact is due to the presence of Marlboro clays on-site, and the applicant states that in the review of the site development concept plan, DPIE and SCD required the SWM outfalls to be located below the Marlboro clay outcrop. The stormdrain outfalls meet best management practices for discharging water back into the stream while limiting erosion at the discharge points. The development shown on the infrastructure SDP obtained preliminary approval from both DPIE and SCD.

**Impact B (Previously Impact 4):** This impact for a proposed sanitary sewer connection is a revision to Impact 4 approved with PPS 4-20032, which totaled 0.33 acre. The SOJ for Impact B states the area of the impact will remain the same size as previously approved (0.33 acre), but the alignment has been adjusted slightly. The utility layout for the proposed development shown on the infrastructure SDP obtained preliminary approval from the Washington Suburban Sanitary Commission (WSSC).

**Impact C (Previously Impact 2):** This impact is for a proposed road crossing providing access to the site through an extension of Queens Court and is a revision to Impact 2 approved with the PPS, which totaled 1.32 acres. The revised Impact C reduces the impact to 0.83 acre. Because of a zoning restriction, the project cannot use Leeland Road as its vehicular access and is limited to providing connections from Queens Court and Prince George's Boulevard. With the applicant's collaboration with both DPIE and the Soil Conservation District, these impacts are necessary to provide access to the site and are proposed in specific locations for minimal disturbance. Much of the site cannot be accessed without crossing the PMA. The applicant located the crossings at the points where the PMA is the narrowest and designed the road to result in the smallest impact.

**Impact D (Previously Impact 5):** This impact is for a proposed sanitary sewer connection and is a revision to Impact 5 approved with PPS 4-20032, which totaled 0.10 acre. The revised Impact D states the area of the impact will be increased to 0.11 acre, and the alignment was adjusted slightly. The utility layout for the proposed development shown on the infrastructure SDP obtained preliminary approval from WSSC.

**Impact E - Area 1:** This impact is for a proposed SWM outfall and is a new impact that was not requested with the PPS. Area 1 is for approximately 0.04 acre where the stormdrain outfall impacts the floodplain buffer. The stormdrain outfalls meet best management practices for discharging water into the stream while limiting erosion at the

discharge points. The development shown on the infrastructure SDP obtained preliminary approval from both DPIE and SCD.

**Impact E - Area 2:** This impact is for a proposed SWM outfall and is a new impact that was not requested with the PPS. Area 2 is an impact of approximately 0.02 acre where the stormdrain outfall impacts the expanded stream buffer. The stormdrain outfalls meet best management practices for discharging water back into the stream while limiting erosion at the discharge points. The development shown on the infrastructure SDP obtained preliminary approval from both DPIE and SCD.

**Impact E – Area 3 (Previously Impact 9):** This impact is for a proposed sanitary sewer connection and is a revision to Impact 9 approved with PPS 4-20032, which totaled 0.11 acre. The revised impact for Area 3 states the area of the impact will remain the same (0.11 acre) but the alignment was adjusted slightly. The utility layout for the proposed development shown on the infrastructure SDP obtained preliminary approval from WSSC.

The proposed PMA impacts for road crossings and utilities are considered necessary to the orderly development of the subject property. These impacts cannot be avoided because they are required by other provisions of the County and State codes. The plan shows the preservation, restoration, and enhancement, of the remaining areas of PMA.

**Soils:** According to the *Prince George's County Soil Survey* the principal soils on the site are in the Adelphia-Holmdel complex, Annapolis Fine Sandy Loam, Colemantown Silt Loam, Collington-Wist Complex, Fallington Sandy Loam, Howell-Annapolis Complex, Issues Silt Loam, Marr-Dodon, Westphalia and Odon, and Widewater and Issue soils. Collington-Wist Complex, and Marr-Dodon soils are in hydrologic Class B and are not highly erodible. Adelphia-Holmdel, Annapolis Fine Sandy Loam, Howell-Annapolis, Marr-Dodon, and Westphalia and Dodon soils are in the hydraulic class C and are moderately erodible. Colemantown Silt Loam, Fallington Sandy Loams, Widewater and Issue soils are in hydrologic class D and pose various difficulties for development due to high water table, impeded drainage, and flood hazard. Marlboro clay is found to occur extensively in the vicinity of and on this property.

The TCP2 shows two lines on the plans and in the legend, both labeled as “Marlboro Clay Soils.” Prior to certification of this infrastructure SDP, the latest geotechnical/slope stability report shall be submitted as conditioned herein. Should the layout change from what was previously reviewed with respect to soils and/or if any information provided regarding soils for the site differ from what was previously evaluated, additional soils information may be required with this application. Prior to certification of the infrastructure SDP, the TCP2 shall be revised to show the location of the Marlboro clay outcropping, the unmitigated 1.5 safety factor line, and the mitigated 1.5 safety factor line as conditioned herein.

**Erosion and Sediment Control:** It has been noted that the site is located within a Sediment Total Maximum Daily Load (TMDL) as established by the State. Watersheds within a TMDL for sediment will typically require erosion and sediment control measures above and beyond the standard treatments. The site also contains rare, threatened, and endangered species, including fish located in the Collington Branch. Redundant erosion and sediment control measures are also required for protection of the rare, threatened, and endangered species. Additional information, as determined by DPIE and the Soil Conservation District in their respective reviews, for SWM and erosion and sediment control, may be required.

The County requires the approval of an erosion and sediment control plan prior to issuance of a grading permit. The tree conservation plan must reflect the ultimate LOD not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including erosion and sediment control measures. Prior to certification of SDP-1603-01, a copy of the erosion and sediment control technical plan must be submitted so that the ultimate LOD for the project can be verified and shown on the TCP2.

The Planning Board concludes that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the level of detail provided with SDP-1603-01 and approves this infrastructure SDP, subject to four conditions that have been included herein.

- f. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not provide comments on the subject application.
- g. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board adopts a memorandum dated December 17, 2021 (Burke to Guinn/Zhang), incorporated herein by reference, which evaluated the infrastructure SDP's conformance with previous conditions of approval regarding the mandatory dedication of parkland and recreational facilities as included in the approval of PPS 4-20032. The relevant findings have been included herein.

The Basic Plan mandates that the applicant dedicate additional land in the Collington Branch Stream Valley and construct the master plan Collington Branch Stream Valley Trail. This application shows a total of 113.28 acres to be dedicated to M-NCPPC, inclusive of the 20-acre park and stream valley trail, which will be developed concurrently.

In addition, the applicant is proposing to construct a 10-foot-wide feeder trail extending from the southern terminus of Road A to the shared-use path on Leeland Road. This trail will be located on building owners' association lands and shall be subject to conditions included herein.



The Planning Board finds the SDP acceptable, from the standpoint of parks and recreation, subject to one condition that has been included herein.

- h. **Prince George's County Health Department**—The Planning Board adopts a memorandum dated October 27, 2021 (Adepoju to Zhang), incorporated herein by reference, in which the Health Department indicated that the applicant should consider providing retail that will provide access to healthy food choices in the area, “pet-friendly” spaces should be provided within the 20-acre park, and the applicant should abide by applicable regulations so that adjacent properties are not adversely impacted with noise or dust during the construction phases of this project. Those comments have been transmitted to the applicant. In addition, the two comments on noise and dust control during the construction have also been included as conditions of approval herein.
- i. **Prince George's County Police Department**—The Police Department did not provide comments on the subject application.
- j. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide comments on the subject application.
- k. **Maryland State Highway Administration (SHA)**—The SHA did not provide comments on the subject application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-026-2021-01, and further APPROVED Specific Design Plan SDP-1603-01 for the above-described land, subject to the following conditions:

- 1. Prior to certification of this specific design plan (SDP), the applicant shall:
  - a. Provide sign face area calculation on the site plan.
  - b. Provide site plan notes as follows:
    - “The applicant shall conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George’s County Code.”
    - “The applicant shall conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
  - c. Increase the font size used to identify the clear space on the plans to match the font used to identify the stream valley trail.

- d. Provide the following pedestrian and bicycle related information and revisions:
  - (1) Shared-use path cross sections showing a two-foot-wide clear zone on each side of the pathway surface.
  - (2) A sheet in the SDP providing details of the bikeway signs and destination plaque assemblies to destinations within and adjacent to the subject property.
  - (3) Correct the spelling of the word “bicycling” in the notes on sheets C-307, C-313, C-314, and C-317.
  - (4) Add a note to the plan indicating that the Leeland Road Trail shall be continuous and will be adjusted to accommodate the ultimate driveway entrance location to the public park.
  - (5) Provide a copy of sheet C-901 as referred to in sheet C-313.
  - (6) A marked crosswalk traversing Queens Court at its western intersection with Warehouse Way.
  - (7) Modify sheets C-313 and C-314 to include a cross-section of Queens Court roadway detailing the segment where sidewalks are only provided on the north side.
- e. Provide Sections 4.2, 4.6, and 4.9 landscape schedules and a tree canopy coverage schedule on the landscape plan.
- f. Submit a copy of the erosion and sediment control technical plan so that the ultimate limits of disturbance for the project can be verified and shown correctly on the Type 2 tree conservation plan.
- g. Submit the current Natural Resources Inventory NRI-098-05-04 as part of the record for SDP-1603-01.
- h. Submit the current geotechnical report and slope stability analysis.
- i. Clarify the area subject to this infrastructure SDP, and revise the SDP and general notes to provide the correct acreage of the subject property.
- j. Revise General Note 5 to list that 35 parcels are proposed in this infrastructure SDP.
- k. Adjust the parcel lines and the front street line width for Parcel 14 to provide sufficient frontage for a direct commercial driveway access for Parcel 14.
- l. Revise General Note 22 to provide reference to Preliminary Plan of Subdivision 4-20032.

- m. Label the proposed right-of-way width for I-300 on all plan sheets and label the total area for its dedication.
  - n. Clearly label the proposed right-of-way line along Leeland Road and the 10-foot-wide public utility easement on all plan sheets.
  - o. Provide bearings and distances for all parcel boundary lines and provide the parcel areas on all plan sheets.
  - p. Revise the plans, as applicable, for consistency with the conditions requiring revision to the signature approved Preliminary Plan of Subdivision 4-20032.
2. Prior to certification of Type 2 Tree Conservation Plan TCP2-026-2021-01, the applicant shall provide information or make revisions as follows:
- a. The TCP2 shall be revised to show the location of the Marlboro clay outcropping, the unmitigated 1.5 safety factor line, and the mitigated 1.5 safety factor line following the Environmental Technical Manual.
  - b. Add the TCP2-026-2021-01 case number to the worksheet and the Environmental Planning Section approval block. Remove the signature references to TCP2-028-2016. Remove references in the worksheet to Detailed Site Plan DSP-06028, TCP2-083-02-01, and TCP2-083-02-02 and replace with the correct case numbers.
  - c. Remove the “Ultimate Conditions” in the title blocks of all the sheets and update the case number as “SDP-1603-01.”
  - d. Permanent tree protection fencing shall be added to the plans and legend protecting the vulnerable edges of the reforestation. Temporary tree protection fencing shall be added to the edges of the woodland preservation.
  - e. Label all retaining walls on the plans and add top and bottom of wall elevations.
  - f. Add bearings and distances to the overall property lines and to the internal property lines.
  - g. Label the proposed parcels.
  - h. Correct all references for “TCPII” to “TCP2” as the development is not grandfathered and is subject to the provisions of the 2010 Woodland and Wildlife Habitat Conservation Ordinance.
  - i. Add a sheet key map to Sheet C-300.
  - j. Show the existing and proposed contours on all sheets.

- k. Show the specimen trees within the dedicated park area and in the Collington Branch Trail as to remain. The disposition of these specimen trees will be reviewed with a future SDP. The following note shall be added to the plan below the worksheet: “The clearing for the park and associated trails is conceptual with SDP-1603-01. Final clearing and specimen tree removal will require a revision to the TCP2.”
- l. On Sheet C-300, remove the “X” and fill out the “Owner/Applicant” information for the development.
- m. Revise Sheet C-300 and C-301 as follows:
  - (1) To have the standard TCP2 notes.
  - (2) Eliminate one of the sets of duplicate notes.
  - (3) Correct Note 1 to remove the “rough grading permit” reference and replace with the specific case number “SDP-1603-01.”
  - (4) Correct Note 8 to reflect that Leeland Road is a major collector, not an arterial.
- n. Revise sheet C-301 as follows:
  - (1) Add the “tree preservation and retention,” “phasing development,” and the “off-site woodland conservation” notes.
  - (2) Add the “post development notes when woodlands and specimen trees are to remain.” Remove the “Landscape Specification” notes.
  - (3) Correct the reforestation planting schedule to reflect the site stocking requirements for container grown seedling tubes (minimum caliper width 1.5”) to the 500 seedlings per acre requirement in the Environmental Technical Manual.
  - (4) The site stocking detail is not current. Replace with the site stocking detail “TCP-35 on page Appendix A-60 of the Environmental Technical Manual.
  - (5) Add the tree planting and maintenance calendar detail TCP-29, page Appendix A-54 of the Environmental Technical Manual.
- o. Revise Sheet C-307 as follows:
  - (1) Adjust the limits of disturbance north of the pond to follow the tree protection fencing, resulting in an increase to Preservation Area 2.

- (2) Specimen Tree 240 shall be revised to show as to be removed. Specimen Tree 132 is located in Preservation Area 2 but is shown as to be removed. Revise to show that specimen trees within preservation areas are to remain.
- p. Revise Sheet C-309 to adjust Preservation Area 15 to follow the limits of disturbance, update the totals for the label, in the charts, and worksheet accordingly.
- q. Revise Sheet C-310 as to add a note that the proposed park facilities and Collington Branch Trail shall be reviewed with a future application, including variance requests for the removal of specimen trees and impacts to regulated environmental features.
- r. Revise Sheet C-311 as follows.
  - (1) Reforestation Area F conflicts with the contours of the submerged gravel wetland pond area. Reconcile the conflict and adjust Reforestation Area F accordingly.
  - (2) The limits of disturbance and tree protection fence on the north side of the pond shall be located to closely follow the proposed grading to increase the area included in Preservation Area 6, preserving from the limits of disturbance to the floodplain.
  - (3) Adjust the resulting reforestation and preservation area totals, update the labels, in the charts, and worksheet accordingly.
- s. Revise Sheet C-315 as follows:
  - (1) Remove the Preservation Area 6 hatch from the proposed sewer easement.
  - (2) Adjust Preservation Area 7 to follow the limits of disturbance on the southern portion of the proposed sewer easement.
  - (3) Adjust the resulting preservation area totals, update the totals for the label, in the charts, and worksheet accordingly.
- t. Revise Sheet C-316 as follows:
  - (1) At the bottom of this sheet, label "Reforestation Area I 4.23 ac." does not lead to a reforestation area hatch. The adjoining Sheet C-319 does not show this area of reforestation. The grading in this area appears incomplete. Additional areas of reforestation are encouraged. If this area is to be reforested, then adjust the tree protection fencing.
  - (2) Adjust the resulting reforestation area totals, update the totals for the label, in the charts, and worksheet accordingly.

- u. Revise Sheet C-317 to relocate the label for the master-planned road so it is not cut off.
  - v. Revise Sheet C-318 to add a label for MC-600 and add the hatch pattern to the legend.
  - w. Revise Sheet C-319 as follows:
    - (1) Preservation Area 8 shall be adjusted to include the stream buffer and the primary management area to the retaining wall. Adjust the resulting preservation area totals, update the totals for the label, in the charts, and worksheet accordingly.
    - (2) Add the permanent tree protection fencing around Reforestation Area L.
    - (3) The southeastern corner of the proposed pond shows woodland preservation area that is not labeled. This tree preservation area and tree protection fencing does not follow the limits of disturbance. Adjust the resulting preservation area totals, add the label, in the charts, and worksheet accordingly.
    - (4) Add a label for MC-600 and add the hatch pattern to the legend.
  - x. Revise Sheet C-320 as follows:
    - (1) Add the permanent tree protection fencing to the sheet.
    - (2) Specimen Tree 97 is shown as to be removed but is located within Preservation Area 10. The current layout shows this specimen to remain, and the plans should reflect that.
  - y. Revise all tables and calculations to reflect the results of the above revisions and reconcile and inconsistencies.
  - z. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. The 10-foot-wide on-site feeder trail shall be constructed concurrently with any buildings on Parcel 14.

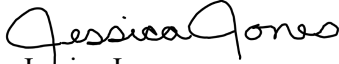
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 13, 2022, in Upper Marlboro, Maryland.

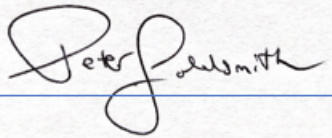
Adopted by the Prince George's County Planning Board this 27th day of January 2022.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:HZ:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department  
Date: January 21, 2021